THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION NO.2702 OF 1999

DATED: 25-04-2007

Between :

1. Duvvuru Venkata Ramana Reddy
   And another. …. Petitioners

And

1. The State of Andhra Pradesh, rep.
   By the District Collector and Land
   Acquisition Officer, Chittoor District.,
   Chittoor., and 2 others.

… Respondents

THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION NO.2702 OF 1999

ORDER :

This writ petition is filed seeking a declaration that the notification dated 2-3-1997 issued under Section 4 (1) of the Land Acquisition Act, 1894 (for short, 'the Act') for proposing to acquire the lands belonging to the petitioners situated in Sy.Nos.258/4, 258/5 and 258/7 of S.R.N. Agraharam Village, Nagari Mandal, Chittoor District as arbitrary and illegal.

It is primarily contended by the petitioners that since the notification under Section 4(1) of the Act as well as the declaration under Section 6 of the Act were published simultaneously on 2-3-1997 the entire proceedings are vitiated and liable to be set aside.

This Court having found a prima facie case, by order dated 12-2-1999 granted interim stay of all further proceedings pursuant to the notice issued under Sections 9 (3) and 10 of the Act. The said order continued to be in operation throughout.

In the counter-affidavit filed by the Revenue Divisional Officer and Land Acquisition Officer, Chittoor, the fact that there was simultaneous publication of the notification under Section 4 (1) and declaration under Section 6 of the Act has not been denied.

Having regard to the facts and circumstances of the case, the Writ Petition is disposed of setting aside the declaration under Section 6 of the Act. The respondents are directed to conduct an enquiry under Section 5-A of the Act after issuing due notice to the petitioners to submit their objections. In case the petitioners submit their

objections the same shall be considered and further steps shall be taken in accordance with law. No costs.

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G. ROHINI, J.

Dt.25–04-2007
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